

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Scott Andrew Kohser,

Plaintiff,

v.

Civ. No. 03-6194 (JNE/SRN)
ORDER

Laurie Merth, Launie Zaffke, Robert Feneis,
Jeffery Shorba, Shelby Richardson, Steve Huot,
Joan Fabian, Marty McHugh, Ben Brieschke,
Jeffery Peterson, Ronald Degidio, Linda Rose,
Terry Katusky, Randy Tenge, James Kaul, and
Thomas Berner,

Defendants.

This case is before the Court on a Report and Recommendation issued by the Honorable Susan R. Nelson, United States Magistrate Judge, on September 21, 2005. Plaintiff filed several documents after September 21: Motion to Supplement [Docket No. 138]; Motion to Withdraw Request for Temporary Restraining Order [Docket No. 139]; Motion to Supplement Plaintiff's Memorandum [Docket No. 140]; request for hearing [Docket No. 141]; Affidavit of Scott Andrew Kohser [Docket No. 142]; and Affidavit of Service [Docket No. 143]. The Court construes the documents filed by Kohser after September 21 as objections to the Report and Recommendation. Based on a de novo review of the record, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Defendants Brieschke and Shorba's Motion for Summary Judgment [Docket No. 76] is GRANTED and Plaintiff's action against these defendants is dismissed.
2. Defendants' Motion for Summary Judgment [Docket No. 81] is GRANTED and Plaintiff's action is dismissed in its entirety.
3. Plaintiff's Motion Requesting Leave to Take Depositions of Plaintiff's Witnesses and/or Serve Affidavit/Declaration [Docket No. 80] is DENIED AS MOOT.

4. Plaintiff's Motion in Response to Defendants' Motion for a Protective Order [Docket No. 97] is DENIED AS MOOT.
5. Plaintiff's Motion to Reinstate Discovery and Stay Deadline for Summary Judgment Response [Docket No. 98] is DENIED AS MOOT.
6. Plaintiff's Motion for Default Judgment [Docket No. 107] is DENIED AS MOOT.
7. Plaintiff's Motion to Consider Consolidation of Evidence [Docket No. 119] is DENIED AS MOOT.
8. Plaintiff's Motion for a Prohibitory Injunction or a Preliminary Injunction and Temporary Restraining Order and Declaratory Judgment [Docket No. 120] is DENIED AS MOOT.
9. Plaintiff's Motion to Amend/Supplement Proceedings [Docket 124] is DENIED AS MOOT.
10. Plaintiff's Motion to Amend to Conform to the Evidence [Docket No. 127] is DENIED AS MOOT.
11. Plaintiff's Motion to Supplement Pleadings [Docket No. 132] is DENIED AS MOOT.
12. Plaintiff's Motion Requesting Permission to File Summary Judgment Motion [Docket No. 135] is DENIED AS MOOT.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 28, 2005

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge